

## **FISCAL NOTE**

### **HB 3087 - SB 3494**

February 24, 2008

**SUMMARY OF BILL:** Prohibits stay of execution if any court declares lethal injection or electrocution to be unconstitutional. Requires the execution to be performed by any constitutional method of execution.

#### **ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact - Lethal injection and electrocution are the only forms of execution currently authorized by statute in Tennessee. If another form of execution were used as a result of this bill (e.g., gas chamber), there may be costs of developing and implementing the system, depending on the system used. These costs could exceed \$100,000 in one-time expenditures for construction and \$10,000 recurring for training.**

Assumptions:

- According to the Department of Correction (DOC), this bill is a statement of intent and would not have a direct fiscal impact on the Department.
- In the assessment of Fiscal Review Committee staff, this bill directs DOC to use any constitutional means of execution which will require implementation of a new system if lethal injection and electrocution are both held unconstitutional.
- According to the Administrative Office of the Courts, any impact this legislation would have on caseloads could be accommodated within existing judicial resources.

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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